

applicants regard as the invention. Specifically, the Examiner indicated that there was insufficient antecedent basis for the limitation "the top end" in Claim 32. Applicants have amended Claim 32 to remove "at the top end."

Claims 29-31, 33-37 and 39 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,774,937 to Caminos. Further, Claims 29, 31, 32, 34, 36, 39-41, 43 and 44 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,372,510 to Arsenault. In addition, Claims 29, 31, 32, 34-36 and 39-44 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,924,924 to Stewart. Moreover, Claims 29-32, 34-37 and 39 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,529,357 to Hoffman. To anticipate these claims, the Caminos, Arsenault, Stewart and Hoffman references must disclose each element of the various claims. Applicants have amended Claims 29, 40 and 44 to distinguish their invention from those disclosed in Caminos, Arsenault, Stewart and Hoffman

In particular, Claim 29 has been amended to include the additional limitation of "said hand supported implement defining a horizontal second axis, said horizontal second axis forming an angle with said first axis." Claim 40 has been amended to correct typographical errors and include the additional limitation of "an elongated body disposed between said forearm support member and said upright handle and defining an axis, said axis forming an angle with said horizontal plane." Furthermore, Claim 44 has been amended to correct a typographical error and include the additional limitation of "said hand supported implement defining a horizontal second axis, said second axis forming an angle with said axis defined by said user's forearm." Since these new limitations contained in Claims 29, 40 and 44 are not disclosed in either Caminos, Arsenault, Stewart or Hoffman, Claims 29, 40 and 44 are not anticipated. Whereas in Caminos, Arsenault, Stewart and Hoffman, the disclosed elongated body is in the same plane as the hand supported implement, in amended Claims 29, 40 and 44, the elongated body or user's forearm is at an angle with respect to the hand supported implement. Given

that the elongated body or user's forearm is at an angle with respect to the hand supported implement in amended Claims 29, 40 and 44, the weight of the hand supported implement is redistributed uniformly over a user's forearm, which permits superior leverage and prevents slippage. The inventions disclosed in Caminos, Arsenault, Stewart and Hoffman do not recognize this benefit. Thus, Claim 29, 40 and 44 as amended are not anticipated nor rendered obvious in view of the cited prior art and are patentable in view of the cited references taken alone or in combination. Since Claims 30-37, 39 and 41-43 depend from Claims 29, 40 and 44, they are also patentable for the same reason. Accordingly, the Examiner is respectfully requested to withdraw his rejections of Claims 29-37 and 39-44.

Claims 35, 36, 42 and 43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Arsenault in view of either Caminos or Stewart. In order to render Claims 35, 36, 42 and 43 obvious, the cited references must disclose, teach or suggest all claimed features. In addition, there must be some motivation or suggestion to combine the references. As explained above, Claim 29 has been amended to include the additional limitation of "said hand supported implement defining a horizontal second axis, said horizontal second axis forming an angle with said first axis." and Claim 40 has been amended to include the additional limitation of "an elongated body disposed between said forearm support member and said upright handle and defining an axis, said axis forming an angle with said horizontal plane." Since these additional limitations of Claims 29 and 40 are neither disclosed by Arsenault, Caminos nor Stewart taken alone or in combination, Claims 29 and 40 are patentable. Given that Claims 35, 36, 42 and 43 depend from Claims 29 and 40, they are also patentable for the same reason.

Finally, although the Examiner objected to Claim 38 as being dependent upon a rejected base claim, he indicated that it would be allowable if rewritten in independent form including all of the limitations of the base claim. Accordingly, Claim 38 has been rewritten in independent form as suggested by the Examiner.

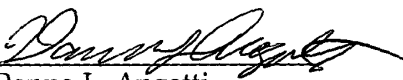
For all the foregoing reasons, Claims 1-44 are in condition for allowance. Favorable and early reconsideration and allowance of this application is respectfully requested.

Attached hereto is a copy of the amended claims entitles "Version With Markings To Show Changes Made," wherein the amendments are indicated by underlining the added material and strikingthrough the material that is deleted.

If any additional fee is required to preserve the pendency of this application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 500675.

Respectfully submitted,
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Version With Markings To Show Changes Made

IN THE CLAIMS:

Claims 29, 32, 38, 40 and 44 have been amended as follows:

Claim 29. (Amended) An ergonomic handle for stabilized lifting, carrying and tilting of a hand supported implement comprising:

an elongated body portion having a first end and a second end and defining a first axis, said first end including a forearm support member having upwardly directed lateral support members for engaging a user's forearm for inhibiting motion of said forearm;

said body portion having a hand grip adjacent said second end, ~~said hand grip defining a second axis, said second axis defining with said first axis an angle no greater than substantially 90 degrees;~~

said hand supported implement defining a horizontal second axis, said horizontal second axis forming an angle with said first axis; and

said hand grip being positioned on said body portion so as to receive said user's gripping hand such that said user's wrist is in a substantially unrotated state.

Claim 32. (Amended) The ergonomic handle as defined in claim 29 wherein said hand grip radiates outwardly ~~at the top end.~~

Claim 38. (Amended) ~~The ergonomic handle as defined in claim 29~~
An ergonomic handle for stabilized lifting, carrying and tilting of a hand supported implement comprising:

an elongated body portion having a first end and a second end and defining a first axis, said first end including a forearm support member having upwardly directed lateral support members for engaging a user's forearm for inhibiting motion of said forearm;

said body portion having a hand grip adjacent said second end, said hand grip defining a second axis, said second axis defining with said first axis an angle no greater than substantially 90 degrees; and

said hand grip being positioned on said body portion so as to receive said user's gripping hand such that said user's wrist is in a substantially unrotated state, wherein said elongated body portion has an aperture adjacent said first end for facilitating storing said ergonomic handle.

Claim 40. (Amended) An ergonomic hand supported implement comprising:

a forearm support member mounted to said ergonomic hand supported implement, said forearm support member having a base portion and adjoining lateral members extending upwardly from said base portion member to engage a portion of a user's forearm to minimize motion of said forearm; ~~and~~

~~a~~ an upright handle mounted to said hand supported implement and spaced from said forearm support member, said upright handle tilted in a direction of said hand supported implement at an angle less than substantially 90 degrees with respect to a horizontal plane that intersects said hand supported implement, wherein said upright handle is positioned on said hand supported implement so as to receive said user's gripping hand such that said user's wrist is in a substantially unrotated state; and

an elongated body disposed between said forearm support member and said upright handle and defining an axis, said axis forming an angle with said horizontal plane.

Claim 44. (Amended) An ergonomic hand supported implement comprising:

a forearm support member mounted to said ergonomic hand supported implement, said forearm support member having a base portion and adjoining lateral members extending upwardly from said base member to engage a portion of a user's forearm to minimize motion of said forearm; ~~and~~

a an upright handle mounted to said hand supported implement and spaced from said forearm support member, said upright handle tilted in a direction of said hand supported implement at an angle less than substantially 90 degrees with respect to an axis defined by said user's forearm while said user's gripping hand grasps said handle; and

said hand supported implement defining a horizontal second axis, said second axis forming an angle with said axis defined by said user's forearm.